

BOTH McNAMARAS HAD TO CONFESS DECLARES STATE ATTORNEY BECAUSE HE HAD THE GOODS ON THEM

Golden Rule Program Was Worked Hard by Committee of Los Angeles Businessmen, but They Were Informed That the Trial Would Go on Unless All the Crimes Were Admitted by the Prisoners; Effort Was Made to Save One of the Brothers at Expense of the Other.

DARROW IS HAGGARD AND CAREWORN AND SAYS HE SIMPLY RAN UP AGAINST A STONE WALL

(By Evening Herald A. P. Leased Wire) Los Angeles, Cal., Dec. 2.—District Attorney John D. Fredericks gave today a full account of the negotiations leading up to the plea of guilty entered yesterday in the McNamara murder trial. He declared that in making the agreement whereby James B. McNamara pleaded guilty to murder and John McNamara pleaded guilty to dynamiting the Liberty Bell, counsel for the defense came to his terms and that outside influences did not prevail upon him.

Men of standing in the community, he said, had been "put up against him" with pleas that in the interests of peace and society James B. McNamara be allowed to plead guilty and that the case against his brother, John J. McNamara, be dropped.

These pleas, he said, he still steadfastly rejected. "I told them I was not running society," he said. "Some of the men after talking it over expressed their willingness to let me handle the matter in my own way."

Fredericks declared that since July he had had an offer from the defense to let James B. McNamara plead guilty to save John J. McNamara.

"A month ago Darrow and I were talking in our half seriously about it. The court stopped proceedings, so we quit," he said. "That afternoon Darrow came to see me and made virtually the same offer and I refused to accept it."

"If you ever change your mind, let me know," Darrow said, as he left.

"I never will," I replied. Then Darrow and Lincoln Steffens got together and Steffens went down town to get men to come to me to urge me to agree to Darrow's proposal. The matter was put to me, but I refused to consider it and they did not urge me. Two days later some of them gave me a typewritten statement and it was practically the same thing."

It was at this juncture, District Attorney Fredericks says, he told them he was not "running society."

"I said I knew I had the goods," he continued, "and that I did not propose to lie down. I asked two or three others, also of the same crowd, if they thought I'd made a mistake, and they told me they thought the case was perfectly safe in my hands. Meanwhile I had talks with Darrow and Davis and stood pat; that both men must plead guilty. The matter of punishment did not interest me, but I knew and counsel for the defense knew that if J. J. McNamara wanted to save the life of his brother he could only help him by coming through."

"On Wednesday night the citizens had another meeting. I knew all along that the proposals were Darrow's, and I knew that I had the goods. Thursday one of them called me up and said some of them might come to see me."

"If you have any influence with them tell them to run along and attend to their own business," I said, and they did not come."

"Darrow and I came again and said they could not get the joint confession. I told them that in that case I'd go ahead with the trial and that I'd rather proceed with it, anyhow."

"Finally they said that they would take my terms and both men pleaded guilty. That is the history of the negotiations."

As to Bert H. Franklin, the defense's investigator, arrested on a charge of bribery, the defense said that the termination of this case might make a readjustment in counsel and said he thought perhaps former Governor Henry W. Dage, as counsel for the defense, might drop out and be replaced by Attorney Davis.

"If they ask a continuance Monday they shall have it," he said. He said he had not determined whether to recommend clemency for the McNamaras, but declared that James B. McNamara would make a complete statement of the affair to the "world." This statement, he said, might be given out the day of sentence, which is next Tuesday.

Asked if it were true that the state had obtained from prosecutive witnesses money supposed to have been given them in such quantities as to total practically equal the amount of the rewards offered by the city, state and county, in all about \$50,000, Mr. Fredericks said it was "more or less true."

DARROW FEELS THE DEFEAT SEVERELY

Paired and worn, his face deeply lined and pale, Clarence S. Darrow, veteran of many legal battles in which labor has been involved, arose today, a disheartened man. He read the comments of labor leaders throughout the country on the plea of guilty entered

yesterday by both James B. McNamara and John J. McNamara, secretary-treasurer of the International Association of Bridge and Structural Iron Workers.

He declared that this was not the time to make explanations, that the sentence on both prisoners has not yet been passed, but that labor leaders would understand in due course that the procedure yesterday was the only solution of a vexatious problem that had worried him for months.

"I cannot talk about it now," Darrow declared as he stood on the veranda of a bungalow, gazing at the hills, "but organized labor was not hurt and the leaders will not be so bitter when they know the facts."

It is believed that Attorney Darrow meant that the compromise effected yesterday was much more extensive than hitherto has been hinted—namely, that the state of California had in its possession information that would have involved other prominent persons and that the agreement to get the McNamaras to plead guilty practically saves a score of indictments and prosecutions.

Darrow was perturbed by the reports that labor leaders had been led to believe the defendants innocent and that they had no advance information on the plea. The impracticability of taking the labor leaders generally into their confidence, it is thought, is one reason this was not done though it is known that Darrow sent messages to several prominent labor leaders, a week ago, urging them to come here for a conference.

Edward Nockels, secretary of the Chicago Federation of Labor, who has been in the city for two weeks, knew of the situation with respect to the plea and is said to have accepted the solution of yesterday as the only practicable one.

Taken as a whole the fear of further exposure during the trial is said to have cut off its continuation and it was hinted that at some future time labor men would know the details.

The business men of the city, who instituted the move to end the trial, it was learned today would have been satisfied with the confession of James B. McNamara. They thought that would be sufficient vindication for the prosecution, but the state officials thought otherwise.

The committee of business men argued and argued, but District Attorney John D. Fredericks was obdurate. It was a plea of guilty by both brothers at this time that he contended for or a continuation of the trial.

"That was my ultimatum," remarked the district attorney today, "and the committee of business men who were practically the go-between persuaded the defense that it was the last straw."

"Just ten days ago," explained Attorney Darrow, "we talked with the McNamara brothers about pleading, but only in the last few days did the thing come to a climax."

"How did they feel about the matter?"

"Well, they accepted their fate with resignation, but felt glad, I think, that they had averted a possible death penalty for one of them."

Attorney Darrow declared that as the parole laws covered in the cases of the McNamaras, John J. McNamara might be out after serving a brief term. As for James B., with a life imprisonment sentence, the situation would be more difficult.

It was said today on good authority that John J. McNamara probably would tender his resignation as secretary-treasurer of the International Association of Bridge and Structural Iron Workers immediately after sentence is pronounced upon him Tuesday.

With regard to the disposition of unused funds for the McNamara defense, little could be learned today. A large part of the \$150,000 in the fund is said to have been spent in preparing the case. A shortage of funds to carry on a vigorous defense was one of the factors that led to its quick conclusion, according to one of the attorneys.

The relation of the McNamara case to the local political situation came in for a big share of discussion today.

"I'm afraid it means the defeat of Job Harriman, the Socialist candidate," declared Attorney Darrow today, "but it will not hurt the Socialist movement here. It will get stronger in a short time. I'm sorry for Job Harriman. It happened at an unfortunate time for him but if he had waited until later perhaps the arrangement could not have been affected and lives might have been lost."

In Socialist circles leaders were not ready to admit that the confession of

the McNamaras had reduced the chances of Harriman, who also was an associate counsel for the two brothers. They declared they felt the blow, but were prepared to pursue the fight to its end on Tuesday next and entertained the hope that the people would not associate Harriman with the McNamara affair, inasmuch as he has not been active in it since he became the single opponent of Mayor George Alexander for re-election.

The Los Angeles Record, an afternoon paper, which has been supporting the Socialist candidate, issued extra today with headlines announcing that "Politics figured in the McNamara case," and that yesterday's episode was "framed to defeat Harriman."

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HIGHER-UPS WILL BE RUN DOWN IN STATEMENT

National Erectors Who Employed Burns Detective Agency Desire to Know Who Is Behind McNamara Dynamiting.

(By Evening Herald A. P. Leased Wire) New York, Dec. 2.—"The fight has only just begun. This is only the first chapter. What we want to find out now is who were the men behind the McNamaras and this we propose to do."

This statement was made today by Walter Drew, chief counsel for the National Erectors' association, which employed William J. Burns and his detective to investigate the Los Angeles dynamiting case.

OTHER ARRESTS MAY COME AT ANY TIME Chicago, Dec. 2.—Further arrests in the Los Angeles Times dynamiting outrage may come at any time, according to Detective W. J. Burns, who discussed the case at length today.

"There are others in this case that are just as guilty as either of the McNamara brothers," he said. "I do not think that the plea of guilty in the case of either man should stop the prosecution of the case and the search for others implicated in the plot."

"We will soon have Dave Kaplan and M. A. Schmitt, alias 'Schmidt,' also waited in connection with the blowing up of the Times building, but there are still several others."

CONFESSIONS OF McNAMARAS TO BE TAKEN UP

Executive Council of American Federation Will Consider Unexpected Situation at Meeting January 8.

(By Evening Herald A. P. Leased Wire) Troy, N. Y., Dec. 2.—That the confession of the McNamara brothers will be considered at a meeting of the executive council of the American Federation of Labor in Washington on January 8, next, was the opinion expressed today by President Samuel Gompers.

"Labor was grossly deceived," he said. "Only a few days ago and just before the close of the recent session of the convention at Atlanta, we received a telegram from the McNamaras hanking the labor unions for their confidence and help."

The Moyet-Pettibone-Heywood case bears many points of similarity to the McNamara case. The arrests were made largely on evidence furnished by Harry Orchard, who was the chief witness for the state as Orin McNamara would have been against the McNamaras. In both cases charges were made that the prisoners were kidnapped into the jurisdiction of the courts desiring them, and in both cases the city of "capital versus labor" was raised.

Heywood and Pettibone were acquitted while the case against Moyet was dropped. Orchard is now serving a life sentence in the Idaho penitentiary.

"I am greatly surprised," I can hardly tell what I think," continued Moyet. "But this much is certain, the McNamaras have given evidence of organized labor a club which they will not be slow to use. Is it a political measure? If it was it will not result in the defeat of Job Harriman for mayor of Los Angeles. It may decrease his majority, but the Socialist party will elect him nevertheless."

BANDITS GAMELY FIGHT IT OUT

(By Evening Herald A. P. Leased Wire) Bellingham, Wash., Dec. 2.—Two bandits, Walter Foote and Fred James, fortified behind a breastwork of logs on the banks of the Skagit river, near Sedro-Woolley, for three hours stood off a posse of 200 citizens. More than a thousand shots were fired and forty dynamite bombs thrown against the logs before the high-women surrendered. Foote was found to have seven bullets in his body and died soon after having been taken to a hospital. James was uninjured and was lodged in the Skagit county jail.

NANKING IS FINALLY CAPTURED BY THE REBELS AFTER ASSAULT

Gunners on Lion Hill Went Over to Besiegers and Then General Lin Took the Tai Ping Gate.

REPORTS INDICATE NO MASSACRE AS YET

(By Evening Herald A. P. Leased Wire) Nanking, China, Dec. 2.—The revolutionary forces took possession of the city today after a party with the imperial government forces who were in occupation. At mid-day the white flag was displayed on Lion Hill inside the walls of the northwest, indicating that the gunners had joined the revolution.

General Li Yuen Hong, the revolutionary leader who had captured Tiger Fort a few days ago occupied Shai Kwan, a town on the banks of the river, outside the city of Nanking. Thereupon the warships under command of Admiral Shih, which had hitherto lain two miles down the river, cautiously approached and took a position under the guns of Lion Hill fort.

Later on the revolutionary troops entered and took possession of the telegraph office. White flags began to appear everywhere and no fighting occurred when the revolutionaries entered the streets.

Lieutenant General Feng Kwo is reported to have escaped. Other reports say he surrendered with all his troops on condition that their lives be spared.

Owing to the great distances and the lack of communication, details are very difficult to obtain, but there is reason to believe the revolutionaries will exercise moderation and there will be no killing.

Reliable revolutionary reports say Pu Kwo across the river from Nanking is surrounded by rebel troops. It is occupied by 1500 imperial soldiers.

RUFFIANS AID REFUSED ENLISTMENT Amoy, China, Dec. 2.—"Can fighting continue in the northwestern quarter of the city. Shots occasionally strike the United States coast defense monitor Monterey."

Several irresponsible bands of men representing themselves to be revolutionaries, are traversing the country and blackmailing villagers.

A band of three hundred ruffians armed with non-descript weapons have demanded enrollment at Amoy but the revolutionary leaders have refused to accept them and the men are now threatening to cause trouble.

"NEVER WOULD HAVE CONFERRED" SAYS MOYER

Man Arrested for Murder of Former Governor Steunenberg Says It Gives Capital a Good Weapon.

(By Evening Herald A. P. Leased Wire) Denver, Dec. 2.—Charles H. Moyet, president of the Western Federation of Miners, who with William D. Heywood and John A. Pettibone was arrested in connection with the murder of former Governor Steunenberg of Idaho, five years ago, declared today that the confession of the McNamaras furnished capital with a club which it "would not be slow to use against organized labor."

"For that reason, no matter how guilty I might have been, I never would have confessed," declared Moyet.

The Moyet-Pettibone-Heywood case bears many points of similarity to the McNamara case. The arrests were made largely on evidence furnished by Harry Orchard, who was the chief witness for the state as Orin McNamara would have been against the McNamaras. In both cases charges were made that the prisoners were kidnapped into the jurisdiction of the courts desiring them, and in both cases the city of "capital versus labor" was raised.

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MINISTER SAYS THAT ENGLAND IS NOW WANING AS A POWER

He Declares That the Work of Making Small Islands the Workshop of the World Has Worn Out Race.

UNITED STATES WILL BE FUTURE CENTER

(By Evening Herald A. P. Leased Wire) London, Dec. 2.—"Democracy is perhaps the silliest of all fetishes seriously worshipped among us."

This utterance of Dr. Inge, dean of St. Paul's before an audience of women at St. John College has started a widespread controversy in the pulpit and press of England. The statement was made during the first series of lectures on "The Co-operation of the Church With the Spirit of the Age."

EMPEROR GEORGE EMPRESS MARY VISIT INDIA IN GREAT STYLE

Officers Are Resplendent in New Uniforms With Plenty of Brass Buttons and Indian Princes Spruce Up.

BRIGHT COLORS AND FESTIVITIES PREVAIL

(By Evening Herald A. P. Leased Wire) Bombay, Dec. 2.—"King-Emperor" George, and "Queen-Empress" Mary, as they are officially styled since their arrival in India, landed at 4 o'clock today from the steamer Medina. They were met by the governor of Bombay and a large gathering of high officials of the civil and military service.

They at once proceeded to a huge amphitheater which had been erected opposite the landing stage and which was filled to its utmost capacity with many thousands who had come to welcome their majesties. The handsome leather dress of the officials and the uniforms of the naval and military officers together with the bright toilettes of the women only served to emphasize the gorgeous hues of the ceremonial attire of the Indian chieftains.

Behind these were masses an immense throng composed of Hindus, Mohammedans, Parsees and Ahras all attired in richly colored festival costumes.

Addresses of welcome were presented by the municipality and other bodies to which his majesty replied.

JUAREZ PRESENTS ATTRACTIVE CARD

Large Number of Exceptional Events Have Been Arranged for Sunday Racing at Course in Mexico.

(By Evening Herald A. P. Leased Wire) Juarez, Mexico, Dec. 2.—Entries for tomorrow:

First race, selling, 2-year-olds, five and a half furlongs: San Connor, 107; Masalo, 104; McAlan, 105; W. H. Ford, 108; Sidon, 109; Bredwell, Calisee, John Heck, Tourist, 110; Great Friar, 112.

Second race, selling, fillies and mares, six furlongs: Balroia, x, 102; San Benito, Starter, Malend, 110; Flying Footsteps, Marie Hyde, Chanticleer, 107; Lady Mary, 105; Meddling Hannah, Lena Lech, 110.

Third race, purse, six furlongs: Pinola, Dangerous March, 105; Arasee, 105; Harrigan, 112.

Fourth race, selling six furlongs: Butter Hall, Henry Walbank, Iselson, 104; Salali, 108; Hidden Hand, 109; Rosamie, 112; Black Mate, Annual Interest, 112.

Fifth race, selling, six furlongs: Tommy Twig, 107; Bonna, 108; Sir Anxius, John H. Sheehan, Campe, 109; Florence A. Kid North, 110; Judge Henderson, 112; High Range, 114.

Sixth race, selling, one mile and a furlong: Miss Korn, Lithogene, 92; Pipe Vision, 95; Dutch Rock, 100; Ganston, Round and Round, Ocean Queen, 102; Juan, Jim Cafferata, 106; X—Apprentice allowance.

SEVEN MEN TAKEN INTO CUSTODY

Texas and Government Officers Find Another Plot Against Madero's Rule, This Time in El Paso.

(By Evening Herald A. P. Leased Wire) El Paso, Texas, Dec. 2.—United States and Texas officers this afternoon arrested seven men, including Dr. Rafael Molina, charged with conspiring against the Madero government in Mexico. Molina is said to be a prominent man in Coahuila. The men are being detained at the federal building while the officials search for others. They are said to have warrants for about twenty. The men detained so far are Jose Polanco from Lower California, Jose San Diego Gomez, Jose Elizardo, Santiago Hawkins, Felipe Roque and Jose Navarro.

Warrants were issued by United States Commissioner Oliver.

CAMPECHE ARISES IN REVOLT ALSO

Mexico City, Dec. 2.—A dispatch from Merida to El Imparcial states that an insurrection had broken out in Campeche. Wire between the capital of that state and Merida have been cut.

British shipowners are preparing quickly, but on a large scale, to participate in the development of trade that is expected to follow the opening of the Panama canal. A combination of some of the larger and smaller companies will elect him nevertheless."

(Continued on Page 2, Column 4.)

MRS. PATTERSON IS GOING HOME AND DECLARES SHE HATES DENVER

Pretty Woman Acquitted of the Murder of Her Husband Is Filled With Rage at Censure She Has Received.

TRAVESTY DECLARES PROSECUTOR BENSON

(By Evening Herald A. P. Leased Wire) Denver, Dec. 2.—Bitterly resentful against Denver and its people, Gertrude Gibson Patterson, slayer of her husband, who was cleared from the charge of murder by a jury in the criminal court here Wednesday last, is on her way to her old home at Sandoval, Ill. She said she would never return to Denver.

When Mrs. Patterson boarded a Burlington train for St. Louis she was accompanied by her mother, father, her sister, Mrs. Myrtle Parrish, J. J. Bonner, a detective, and her brother, Charles Gibson.

Horne G. Benson, the prosecuting attorney, was outspoken in condemnation of the acquittal of Mrs. Patterson and he declared it a travesty on American justice and honor. Mr. Benson said:

"What do I think of the verdict? I have stated that, in my opinion, it was and is a travesty on justice, and as I heard the mob hurrah for a killing over this acquittal at the criminal court I thought of that far-off long ago when some poor devil murdered another in the arena in Rome and men clapped their hands and yelled and hurrahed and wept and screamed with delight. The arena swims around him, he is gone, yet ceased the inhuman shout which hailed the wretch who won. He heard it, but he heeded not, his mind was with his heart, and that was far away."

"I know it this conscience of people at the West side court could have seen 'Chick,' the already dying man, shot in the back, down upon his hands and knees, crying out, 'Oh, God, my God!' as she sent another bullet crashing into his back and through his heart, they would have stood petrified with horror, and would have forever damned a verdict of acquittal as a sham, a farce, a mockery. A travesty on justice and a blot on the fair name of the state of Colorado."

"I never said a word that was not corroborated in the record, and I had the record before me all the time I was speaking. Every charge I uttered is in evidence. Mrs. Patterson was proven immoral from the time she was 12 years of age. She is 39 now. She has been at least guilty of immoral conduct for 17 years, and she did not deny or dispute it."

"If the truth based upon that character of evidence, admitted by the court as competent testimony and as being a proper subject for argument, if such truth and an argument based on it is brutal and inhuman conduct, then her own testimony makes me stand convicted of the charge of being brutal."

"If the fact that I sought the truth as the objective and a conviction as the end, if the truth warranted it, is brutal, then I stand convicted."

"If to raise my voice in injury denunciation on the basis of a jury verdict shown by the record is to convict me of brutal conduct, then I stand convicted."

"If to tear the mask from the face of falsehood by the admission of their own witnesses, as shown by the record, is brutal and inhuman conduct, then I stand convicted."

"If to ask for justice upon a record which discloses to my mind a willful, deliberate, premeditated, malicious murder is wrong, then I stand convicted."

"In my opinion, if you would ask the jurors what did it, and they dared to answer truthfully, they could tell you."

OKLAHOMANS HELD IN ARIZONA

Two Men Wanted in Connection With Alleged False Bank Reports Await Extraordinary Hearing From New State.

(By Evening Herald A. P. Leased Wire) Phoenix, Ariz., Dec. 2.—Frank S. Westfall, one of two brothers wanted in Nogales, Ariz., for alleged irregularities in connection with reports issued by the Creek Bank and Trust company, was arrested at Wickenburg yesterday and brought to Phoenix under authority of extradition papers issued by the governor of Oklahoma. J. B. Westfall, the other brother, is already in custody and is now awaiting the outcome of habeas corpus proceedings.

Governor Sloan of Arizona, who is in Chicago, has wired his willingness to give the Westfalls another hearing on their return from the east.

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